



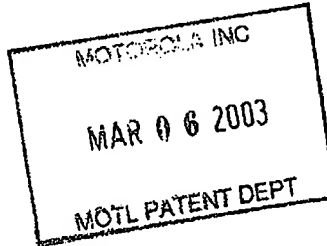
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,382	08/29/2000	SLIM SOUSSI	PF01963NA	9462

20280 7590 02/28/2003

MOTOROLA INC
600 NORTH US HIGHWAY 45
LIBERTYVILLE, IL 60048-5343



EXAMINER

LEE, JOHN J

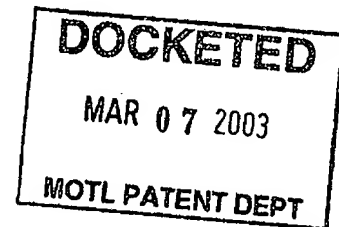
ART UNIT PAPER NUMBER

2682

DATE MAILED: 02/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

REJECTION



AMENDMENT DUE:
28 MAY 2003

Office Action Summary	Application No.	Applicant(s)	
	09/651,382	SOUISSI ET AL.	
	Examiner	Art Unit	
	JOHN J LEE	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 34-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 34-36, 40-48 and 51-55 is/are rejected.
- 7) ☒ Claim(s) 37-39, 49, and 50 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's arguments with respect to claims 34 - 55 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. **Claims 34-36, 40-48, and 51-55** are rejected under 35 U.S.C. 102(b) as being anticipated by Alanara et al. (US Patent number 5,724,660).

Regarding **claim 34**, Alanara discloses that a method in a mobile wireless communication handset, comprising:

receiving base station location information of a cellular communication base station (Fig. 2, abstract, and column 1, lines 61 – column 2, lines 56);

receiving a base station cellular area information for the cellular communication base station for which the base station location information is received (Fig. 2, abstract, and column 4, lines 63 – column 5, lines 62);

determining a course location of the mobile wireless communication handset based on the distance to serving base station information and on the cellular area information (Fig. 1, 2, abstract, and column 5, lines 25 – column 6, lines 47).

✓ Regarding **claim 35**, Alanara discloses that determining a refined location of the mobile wireless communication handset based on the course location (Fig. 1, 2, abstract, and column 5, lines 10 – column 6, lines 47).

✓ Regarding **claim 36**, Alanara discloses that the mobile wireless communication handset (10 in Fig. 2) is a global positioning system (GPS) (36 in Fig. 1) enabled mobile wireless communication handset (Fig. 1), determining a GPS based location of the mobile wireless communication device (Fig. 1, 10 and column 7, lines 10 – 28), reducing a GPS search space with the course location when determining the GPS based location of the mobile wireless communications handset (Fig. 1, 2, 10, column 6, lines 5 – column 7, lines 39, and column 2, lines 15 – column 3, lines 33).

✓ Regarding **claim 40**, Alanara discloses all the limitation, as discussed in claim 34. Furthermore, Alanara further discloses that receiving bearing information from the cellular communication base station (Fig. 2, abstract, and column 2, lines 15 – column 3, lines 34).

✓ Regarding **claim 41**, Alanara discloses all the limitation, as discussed in claims 34 and 40.

✓ Regarding **claim 42**, Alanara discloses all the limitation, as discussed in claims 34 and 35.

✓ Regarding **claim 43**, Alanara discloses all the limitation, as discussed in claims 34 and 40.

✓ Regarding **claim 44**, Alanara discloses all the limitation, as discussed in claim 34.

Furthermore, Alanara further discloses that receiving bearing information from a plurality of at least two base stations (Fig. 1, 2 and column 5, lines 10 – column 6, lines 47),

determining a coarse location of the mobile wireless communications handset based on the bearing information (Fig. 2, 10, abstract, and column 1, lines 58 – column 3, lines 34);

determining a refined location of the mobile wireless communication handset based on the coarse location (Fig. 1, 2, abstract, and column 5, lines 10 – column 6, lines 47).

✓ Regarding **claim 45**, Alanara discloses all the limitation, as discussed in claims 35 and 36.

✓ Regarding **claim 46**, Alanara discloses all the limitation, as discussed in claims 34 and 40.

✓ Regarding **claim 47**, Alanara discloses all the limitation, as discussed in claims 34 and 44.

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✓ Regarding **claim 48**, Alanara discloses all the limitation, as discussed in claims 34 and 40.

✓ Regarding **claim 51**, Alanara discloses all the limitation, as discussed in claims 38 and 40.

✓ Regarding **claim 52**, Alanara discloses all the limitation, as discussed in claims 37 and 47. Furthermore, Alanara further discloses that the transmitting the base station location information, the cellular area, the bearing information in a provided base station almanac message (Fig. 1, 2, 10, column 5, lines 10 – column 6, lines 64, abstract, and column 2, lines 15 – column 3, lines 33).

✓ Regarding **claim 53**, Alanara discloses all the limitation, as discussed in claims 37 and 47. Furthermore, Alanara further discloses that the transmitting the base station location information, cellular area, the bearing information in a common message (Fig. 1, 2, 10, column 5, lines 10 – column 6, lines 64, abstract, and column 2, lines 15 – column 3, lines 33).

Regarding **claim 54**, Alanara discloses all the limitation, as discussed in claims 34, 44, and 47.

Regarding **claim 55**, Alanara discloses all the limitation, as discussed in claims 53 and 54.

Allowable Subject Matter

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4. **Claims 37-39, 49, and 50** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding **claims 37-39, 49, and 50**, the cited prior art fail to disclose the limitation "receiving a bearing angular width information for the cellular communication base station" in such particular context as, specified in the claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Borkowski et al. (US Patent number 5,519,760) discloses Cellular Network-Based Location System.

Kurby et al. (US Patent number 5,889,492) discloses an Acquisition-Aided Geo-Locating Subscriber Unit.

Kingdon et al. (US Patent number 6,411,811) Provisioning Assistance Global Positioning System Information to a Mobile Station.

Wang et al. (US patent number 6,415,154) discloses Communicating Auxiliary Information and Location Information Between a Cellular Telephone Network and a Global Positioning System Receiver for Reducing Code Shift Search Time of the Receiver.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label

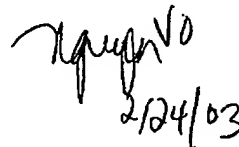
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John J. Lee** whose telephone number is (703) 306-5936. He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Vivian Chin**, can be reached on (703) 308-6739. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J.L.
February 21, 2003

John J Lee



NGUYENT.VO
PRIMARY EXAMINER